

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

EUGENE WROTEN,

Plaintiff,

v.

CV 19- 1125 MV/JHR

WALMART,

Defendant.

**ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION  
AND DISMISSING CASE WITHOUT PREJUDICE**

This matter comes before the Court on Magistrate Judge Jerry H. Ritter's Proposed Findings and Recommended Disposition ("PFRD") (*Doc. 21*), filed August 5, 2020. The PFRD recommended that this Court STRIKE Plaintiff's Complaint and DISMISS this case without prejudice. The PFRD notified Plaintiff of his ability to file objections and that failure to do so waives appellate review. To date, no objections have been filed.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 21*) is **ADOPTED**; and
2. Plaintiff's Complaint will be stricken by the Clerk, and this lawsuit is dismissed without prejudice.
3. A Final Judgment will issue pursuant to Federal Rule of Civil Procedure 58.



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UNITED STATES DISTRICT JUDGE